

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
MIDDLE DIVISION**

AUNDRA DEBREL BOYKINS,

Plaintiff,

V.

Jefferson Dunn, *et al.*,

Defendants.

**CIVIL ACTION NO.:
4:19-CV-1934-ACA**

UNOPPOSED

MOTION FOR LEAVE TO FILE UNDER SEAL

Defendant Marc Walker (“Walker”) hereby moves this Court for leave to file his brief and certain evidentiary materials in support of the forthcoming motion for summary judgment *under seal* pursuant to the Stipulated Protective Order. (Doc. No. 77, the “Protective Order”). As grounds for and in support of this Motion, the Correctional Officials state as follows:

1. Walker intends to file a motion for summary judgment on or before the February 13, 2023, deadline with an evidentiary submission supporting the summary judgment motion. By the next day, Walker intends to file a brief in support of his summary judgment motion that will quote from, refer to, and disclose information designated by the Parties as “Confidential” or “Highly Confidential” under the Protective Order. (Doc. No. 77).

2. Walker anticipates quoting from and offering as evidence deposition testimony from Plaintiff, Aundra Debrel Boykins; the Defendant, Marc Walker; Cortez Whittington; and Joseph Rion, along with exhibits to those depositions. Pursuant to Appendix II of this Court's Initial Order, when making evidentiary submissions, the Parties must "submit entire depositions, even if relying on excerpts, including all exhibits to the depositions." (Doc. No. 31 at 20). Because the deposition transcripts and exhibits thereto offered by the Correctional Officials will contain testimony or exhibits designated as "Confidential" or "Highly Confidential" by the Parties under the Protective Order (even if not necessarily relied upon by Walker), Walker must ensure the protection of the confidential information contained in those deposition transcripts and exhibits thereto.

3. A full listing of the anticipated exhibits utilized in support of Walker's motion for summary judgment is attached hereto as Attachment 1.

4. Counsel for Walker conferred with counsel for Plaintiff, and Plaintiff does not oppose this motion.

WHEREFORE, based on the foregoing, Walker respectfully requests that this Court enter an Order permitting him to file his summary-judgment brief and certain supporting evidentiary materials under seal.

Respectfully submitted,

STEVE MARSHALL
ATTORNEY GENERAL

/s/ Benjamin H. Albritton
Benjamin H. Albritton (ASB-0993-R67B)
Assistant Attorney General
Attorney for Defendant Walker

Office of the Attorney General
501 Washington Avenue
Montgomery, Alabama 36130-0152
334-242-7300 (T)
334-353-8400 (F)
Ben.Albritton@AlabamaAG.gov

CERTIFICATE OF SERVICE

I hereby certify that I have on February 9, 2023, filed the foregoing with the Clerk of the Court, using the CM/ECF filing system which will send notification of the same to all counsel of record.

/s/ Benjamin H. Albritton
Benjamin H. Albritton
Assistant Attorney General